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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Francis Martin *et al.*

APPLICATION NO.: 10/016,324

FILED: December 10, 2001

FOR: THERAPEUTIC LIPOSOME COMPOSITION
AND METHOD OF PREPARATION

EXAMINER: GOLLAMUDI KISHORE

ART UNIT: 1615

CONFIRMATION NO.: 4133

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Supplemental Information Disclosure Statement After Final Action or Notice of Allowance
but Before Payment of Issue Fee – 37 CFR 1.97(d)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information is being filed *after* a final Office action or a Notice of Allowance, whichever occurs first, but before payment of the Issue Fee.

2. Petition – 37 CFR 1.97(d)

Applicant petitions the Patent and Trademark Office to accept this Information Disclosure Statement in light of the certification under 37 CFR 1.97(e) below, and payment of the fee under 37 CFR 1.97(d)(2).

3. Cited Information

☒ Copies of the following references are enclosed:

- ☒ All cited references
- ☐ References marked by asterisks
- ☐ The following:

4. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not

exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

5. Certification Under 37 CFR 1.97(e) (check one)

- ☒ In accordance with 37 CFR 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
- ☐ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

6. Fee Payment – 37 CFR 1.97(d)(2)

- ☒ Check enclosed for \$180.00 Information Disclosure Statement Fee as set forth in 37 CFR §1.17(p).
- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

7. Patent Term Adjustment (37 CFR 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of this statement. 37 CFR §1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date: June 27, 2003

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